

REMARKS/ARGUMENTS

Status of the Claims

Claims 1 and 35-37 are currently pending in the application. Claims 1 and 36 have been amended. Claims 38 and 39 have been added. No claims have been cancelled. Therefore, claims 1, and 35-39 are present for examination. Claims 1 and 36 are independent claims. Applicant respectfully requests reconsideration of this application as amended.

Rejections under 35 U.S.C. § 103, Takahashi in view of Duhault and Scaer

Claims 1 and 35-37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,483,983 issued to Takahashi et al. ("Takahashi") in view of U.S. Patent No. 5,900,868 issued to Duhault ("Duhault") and U.S. Patent No. 6,101,498 to Scaer ("Scaer").

According to aspects of the claimed invention, if there is no button input for a predetermined duration after selecting the single frame which indicates the title, then the user-specified title is automatically played back,. Therefore, a user can view and check the moving pictures simply by waiting for the automatic play back (*i.e.*, without pushing the select button).

The Office Action at Page 6 of the Office Action has indicated that Scaer at col. 5, lines 45-58 of Scaer states that "[i]n the present control system, this selection gesture merely involved hovering (maintaining the cursor without clicking the mouse in the vicinity of object icon 80 for a brief time period set by the program). As a result, the primary attribute value which in the present case is the name of the node, 'clavey' appears in the primary transient display 87." Therefore, according to Scaer, "the primary attribute" (*i.e.*, "clavey") is the only thing that will be reproduced after the period of time. Conversely, claim 1 and similarly claim 36 reproduces a "moving picture of a user-specified title" (*e.g.*, the user contents), automatically after a period of time. As such, the reproduction of only the primary attribute, as in Scaer and the reproduction of the user contents, as in claim 1, are completely different. Thus, for at least this reason, Scaer fails to teach or suggest each and every element of claim 1 and similarly claim 36.

Furthermore, even if Scaer and Duhault are combined, “the primary attribute” of Duhault such as, “[t]he optional viewing parameters, which include, but are not limited to, add/delete from the automatic generated channel list, delete from the user's customized channel list, add/delete to a lock-out list (e.g., parental control), or labeling a channel with a name, icon, text, etc.” (see col. 5, lines 30-34 of Duhault) are the only items that will be reproduced after the period of time. Accordingly, these items are not a moving picture of a user-specified title or the user contents, as is reproduced in claim 1.

In addition, at page 6 of the Office Action it is indicated that at col. 2, lines 40-45 of Scaer, which states that “[t]he object is preferably selected by hovering a cursor proximate to the selected object for a predetermined period”; however, this part only says the selection of the object is conducted after predetermined period, and does not teach or suggest the reproduction of the user contents (or a prosecution of the object). Therefore, for at least this additional reason, Scaer fails to teach or suggest each and every element of claims 1 and 36.

Moreover, according to the Fig. 5 of Duhault, step 138 states that “refresh[ing] the visual representations [are performed] serially or in parallel”, which will be performed if there is no detection of a preview select of a channel at step 132, and no detection of an edit select of a channel at step 134. Furthermore, Duhault at col. 3, lines 50-54, which explains the operations in Fig. 2, states that “[w]hile in the multiple channel display, each of the visual representations 51 will be updated or refreshed at a periodic rate. The periodic rate is primarily a function of the speed of the tuner 12 in switching from channel to channel and the number of channels.” As can been understood from this quoted section of Duhault, the system in Duhault simply refreshes the single frame of the multiple channel display by switching the tuner from channel to channel after a predetermined time. Hence, Duhault never reproduces the moving picture of the user contents after a predetermined time, as in claims 1 and 36. Therefore, for at least this additional reason, Duhault fails to teach or suggest each and every element of claims 1 and 36.

Further, Takahashi fails to remedy the shortcomings of Scaer and Duhault, and as such claims 1 and 36 are patentable over Scaer, Duhalt, and Takahashi, either individually or when combined in any combination.

Appl. No. 09/644,198
Amdt. dated June 8, 2009
Reply to Office Action of March 6, 2009

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Accordingly, Applicants respectfully request that the rejection of claims 1 and 36 be withdrawn. Furthermore, dependent claims 25 and 37-39 depend from claims 1 and 36, respectively, and therefore are believed to be allowable at least by virtue of their dependence from allowable base claims.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Applicants do not acquiesce to any objection, rejection, or argument not specifically addressed herein. Rather, Applicants believe the amendments and arguments contained herein overcome all objections, rejections, or arguments.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Charles W. Gray
Reg. No. 61,345



TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
Attachments
CWG:tnd
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